

REMARKS

Claims 43-46 and 59-64 were and remain pending in the application. The applicants gratefully acknowledge that claims 43-46 are allowed. By this paper, claims 59-62 have been amended. Reconsideration and withdrawal of the rejections are hereby respectfully solicited in view of the following remarks.

Claim Rejections - 35 U.S.C. §102(b)

Claims 59-64 have been rejected under 35 U.S.C. §102(b) as anticipated by Sedlack, U.S. Patent No. 4,909,574 (Sedlack). The anticipation rejections should be withdrawn in view of the foregoing amendments and the following remarks.

Claim 59

As amended, claim 59 recites a base with a seating surface that defines a seat bottom. Amended claim 59 also recites a pair of armrests connected to the base and positioned on opposite sides of the seating surface. The remaining portions of claim 59 have been amended to reflect that each armrest is adjustable along a straight line between first and second height positions, includes a connecting portion that slidably fits over a corresponding receiving portion of the base, and includes holes for receiving protrusions from the receiving portion of the base. Also, claim 59 recites that a majority of movement of each armrest between the first and second height positions is vertically toward and away from the seat bottom.

The shield or so-called armrest 10 in Sedlack is a single device positioned at the front of the Sedlack seat. It does not include a pair of rests on opposite sides of a seating surface. Further, the shield 10 in Sedlack is clearly movable along a line A-A, which is at a severe angle to the seat bottom. The majority of the shield's motion in Sedlack is not vertical relative to a seat bottom of the seating surface. Thus, at a minimum, Sedlack fails to disclose or suggest a pair of armrests positioned on the sides of a seat and each armrest having the features recited in claim 59. Sedlack also fails to teach or suggest an armrest, much less two armrests, having a substantial majority of movement that is vertical relative to a seat bottom as recited in claim 59.

Sedlack fails to teach or suggest all of the limitations of claim 59. Thus, independent claim 59 and corresponding dependent claim 63 are neither anticipated nor rendered obvious in

view of Sedlack. For each of the above reasons, the anticipation rejection of claims 59 and 63 should be withdrawn.

Claim 60

Independent claim 60 has been amended herein to recite that the armrest has a connecting portion surrounded by, telescopically received in, and slidable relative to a receiving portion of the base on a side of the seating surface. The Sedlack shield 10 rests on a surface of a support 16 that is positioned facing a front of the seat between the sides of the seat. The shield slides along the support in the direction of arrows A-A. The support 16 is not on a side of the seating surface in Sedlack. The recesses 22 are on the bottom surface of the Sedlack shield 10. A protrusion 25 sticks up from the surface of the support 16. The shield rests on and slides along the support 16.

No connecting portion on the shield 10 is surrounded by a receiving portion on the seat or the support 16 in Sedlack, as is required by amended claim 60. No connecting portion on the shield 10 is telescopically received in a receiving portion on the seat or the support 16 in Sedlack, as is required by amended claim 60.

Sedlack fails to teach or suggest all of the limitations of claim 60. Thus, independent claim 60 is neither anticipated nor rendered obvious in view of Sedlack. For each of the above reasons, the anticipation rejection of claim 60 should be withdrawn.

Claim 61

Independent claim 61 has been amended, similar to claim 59, to recite a pair of armrests positioned and connected to the base on opposite sides of the seating surface. Each armrest is recited as being adjustable in a vertical direction wherein armrest movement is substantially upward and downward relative to the seating surface. For the same reasons set forth above with respect to claim 59, Sedlack fails to teach or suggest a pair of armrests positioned on opposite sides of its seating surface. Sedlack discloses only the centrally positioned shield 10. Sedlack thus fails to teach or suggest at least these limitations of amended claim 61.

Claim 61 has also been amended to recite that each armrest has a connecting portion telescopically movable over a receiving portion of the base that is received within the connecting portion. As noted above with respect to claim 60, Sedlack fails to teach or suggest any

telescoping connection between the shield 10 and the seat or the shield support 16, much less two such connections as recited in claim 61.

As a result, Sedlack fails to teach or suggest all of the limitations of claim 61. Thus, independent claim 61 is neither anticipated nor rendered obvious in view of Sedlack. For each of the above reasons, the anticipation rejection of claim 61 should be withdrawn.

Claim 62

Independent claim 62 has been amended, similar to claims 59 and 61, to recite ~~an armrest~~ a pair of armrests each positioned on and connected to the base on ~~a side~~ opposite sides of the seating surface. Each armrest is recited as being adjustable between first and second positions substantially toward and away from the seating surface. For the same reasons set forth above with respect to claims 59 and 61, Sedlack fails to teach or suggest a pair of armrests positioned on opposite sides of its seating surface. Sedlack only discloses the single, centrally positioned shield 10. Sedlack thus fails to teach or suggest at least these limitations of amended claim 62.

Claim 62 has also been amended to recite that each armrest has a connecting portion that fits around a corresponding receiving portion of the base. Each receiving portion is recited as including a flexible tab and a protrusion on the flexible tab and each connecting portion is recited as including first and second slots to receive the protrusion and that corresponding to the first and second positions, respectively. Sedlack does not disclose any connecting part on the shield 10 that fits around a receiving part on the seat or on the shield support 16, much less two such connecting and receiving parts. Sedlack also fails to teach or suggest this additional limitation of amended claim 62.

Sedlack fails to teach or suggest all of the limitations of claim 62. Thus, independent claim 62 and corresponding dependent claim 64 are neither anticipated nor rendered obvious in view of Sedlack. For each of the above reasons, the anticipation rejection of claims 62 and 64 should be withdrawn.


CONCLUSION

Claims 59-64 are believed to be in condition for allowance in view of the foregoing remarks, along with allowed claims 43-46. Reconsideration and withdrawal of the rejection and allowance of these claims is respectfully solicited.

The examiner is invited to contact the undersigned at the telephone number listed below in order to discuss any remaining issues or matters of form that will place this case in condition for allowance.

No fee is believed due at this time.

Respectfully submitted,


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